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8 **BEFORE THE**  
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. VN 2003-700

13 CHARLOTTE LAWTON  
A.K.A. CHARLOTTE ANN LAWTON  
14 P.O. Box 5478  
Vallejo, California 94590  
Vocational Nurse License No. VN 103405

**A C C U S A T I O N**

15 Respondent.

16  
17 Complainant alleges:

18 PARTIES

- 19 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this  
20 Accusation solely in her official capacity as the Executive Officer of the Board of Vocational  
21 Nursing and Psychiatric Technicians, Department of Consumer Affairs.
- 22 2. On or about September 15, 1981, the Board of Vocational Nursing and  
23 Psychiatric Technicians issued Vocational Nurse License Number VN 103405 to Charlotte  
24 Lawton, also known as Charlotte Ann Lawton (Respondent). The Vocational Nurse License was  
25 in full force and effect at all times relevant to the charges brought herein and will expire on May  
26 31, 2009, unless renewed.

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administer to another, any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022.

"(b) Use any controlled substance as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public, or to the extent that the use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

"(c) Be convicted of a criminal offense involving possession of any narcotic or dangerous drug, or the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, in which event the record of the conviction is conclusive evidence thereof."

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

## DRUGS

9. "Cocaine (cocaine base)" is a Schedule I controlled substance as listed under section 11054(f)(1) of the Health and Safety Code and is a dangerous drug under Code section 4022. It is a highly addictive recreational drug.

10. "Cocaine" is a Schedule II drug as listed under Section 11055(f)(6) of the Health and Safety Code and is a dangerous drug under Code section 4022. It is a highly addictive recreational drug.

FIRST CAUSE FOR DISCIPLINARY ACTION

(Unprofessional Conduct)

11. Respondent has subjected her vocational nurse license to disciplinary action under Section 2878(a) of the Code on the grounds of general unprofessional conduct and on the grounds of unprofessional conduct as defined by Title 16, California Code of Regulations, section 2518(b)(4) (abstain from chemical/substance abuse), by her conduct as follows:



1           a.       On or about September 30, 2003, Respondent tested positive for Cocaine  
2 during a post-offer, pre-employment drug test performed by Beverly Enterprises. Thereafter,  
3 Beverly Enterprises rescinded Respondent's employment offer from Beverly Manor of Petaluma,  
4 California, based upon Respondent's positive test result for Cocaine.

5                               SECOND CAUSE FOR DISCIPLINARY ACTION

6                               (Obtain & Possess Any Controlled Substance)

7                   12.     The allegations of Paragraph 11 are herein realleged and incorporated as if  
8 fully set forth.

9                   13.     Respondent has subjected her vocational nurse license to disciplinary  
10 action under Section 2878(a) of the Code on the grounds of unprofessional conduct, as defined in  
11 Code section 2878.5(a), in that as set forth above in paragraph 11, she obtained and possessed  
12 Cocaine, a controlled substance as defined in Division 10 (commencing with Section 11000) of  
13 the Health and Safety Code, without authorization and in violation of the law.

14                           THIRD CAUSE FOR DISCIPLINARY ACTION

15                           (Conviction of Substantially Related Crime)

16                   14.     Respondent has subjected her vocational nurse license to disciplinary  
17 under Sections 2878(f) and 490 of the Code in that she was convicted of a crime substantially  
18 related to the qualifications, functions and duties of a vocational nurse, in that on or about March  
19 16, 1995, in the Superior Court of the State of California, County of Solano, Case No. VC37757,  
20 entitled *People of the State of California vs. Charlotte Ann Lawton*, she was convicted by her  
21 plea of guilty of violating Section 11350(a) of the Health and Safety Code (unlawful possession  
22 of controlled substance, to wit: Cocaine (cocaine base)), a felony.

23                           FOURTH CAUSE OF DISCIPLINARY ACTION

24                           (Conviction of Substantially Related Crime)

25                   15.     Respondent has subjected her vocational nurse license to disciplinary  
26 action under Sections 2878(f) and 490 of the Code in that she was convicted of a crime  
27 substantially related to the qualifications, functions and duties of a vocational nurse, in that on or  
28 about May 1, 1992, in the Superior Court of the State of California, County of Solano, Case No.



1 VC32142, entitled *People of the State of California vs. Charlotte Ann Lawton*, Respondent was  
2 convicted by her plea of no contest of violating Section 11350(a) of the Health and Safety Code  
3 (unlawful possession of controlled substance, to wit: Cocaine (cocaine base)), a felony. Pursuant  
4 to said conviction, Respondent was placed on probation for three (3) years. On or about March  
5 16, 1995, Respondent was found to be in violation of said probation and the probation was  
6 revoked based upon her pleading guilty to the crime of possessing a controlled substance, to wit,  
7 Cocaine (cocaine base), as set forth above in paragraph 14.

8 FIFTH CAUSE FOR DISCIPLINARY ACTION

9 (Criminal Convictions Involving Possession of Controlled Substance)

10 16. The allegations of Paragraphs 14 and 15 are herein realleged and  
11 incorporated as if fully set forth.

12 17. Respondent has subjected her vocational nurse license to discipline under  
13 Section 2878(a) of the Code on the grounds of unprofessional conduct, as defined in Code section  
14 2878.5(c), in that Respondent has been convicted of a crime involving the possession of a  
15 controlled substance, to wit: Cocaine (cocaine base), as set forth above in Paragraphs 14 and 15.

16 SIXTH CAUSE FOR DISCIPLINE

17 (Obtain & Possess Any Controlled Substance)

18 18. The allegations of Paragraphs 14 and 15 are herein realleged and  
19 incorporated as if fully set forth.

20 19. Respondent has subjected her vocational nurse license to discipline under  
21 Section 2878(a) of the Code on the grounds of unprofessional conduct, as defined in Code section  
22 2878.5(a), in that, as set forth above in Paragraphs 14 and 15, she obtained and possessed Cocaine  
23 (cocaine base), a controlled substance as defined in Division 10 (commencing with Section  
24 11000) of the Health and Safety Code, without authorization and in violation of the law.

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1 PRAYER

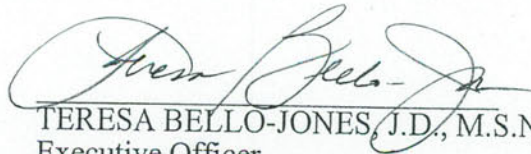
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric  
4 Technicians issue a decision:

5 1. Revoking or suspending Vocational Nurse License Number VN 103405,  
6 issued to Charlotte Lawson, also known as Charlotte Ann Lawton (Respondent).

7 2. Ordering Respondent to pay the Board of Vocational Nursing and  
8 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,  
9 pursuant to Business and Professions Code section 125.3;

10 3. Taking such other and further action as deemed necessary and proper.

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12 DATED: May 16, 2008

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16 TERESA BELLO-JONES, J.D., M.S.N., R.N.  
17 Executive Officer  
18 Board of Vocational Nursing and Psychiatric Technicians  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant

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23 CSR: 04/08/08  
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